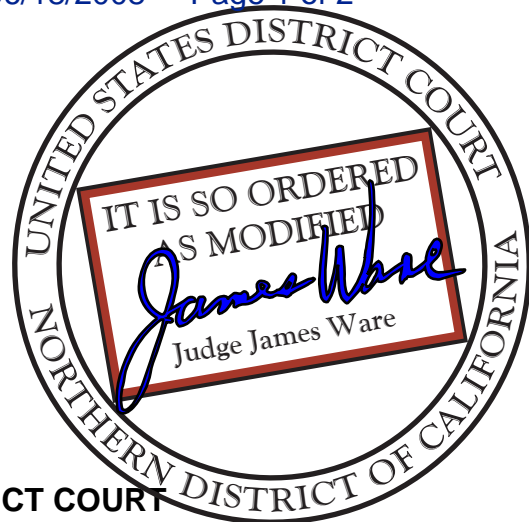


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Attorneys for Plaintiff



**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

LARRY WARREN, Individually,

Plaintiff,

vs.

CITY OF SANTA CRUZ, a public  
entity, SANTA CRUZ CHIEF OF  
POLICE HOWARD SKERRY, in his  
individual and official capacities, and  
DOES 1 through 10, Jointly and  
Severally,

Defendants.

No. C08-01311-JW

*(James Ware)*  
**(PROPOSED) ORDER GRANTING  
MOTION FOR WITHDRAWAL OF  
PLAINTIFF'S COUNSEL**

Date: June 23, 2008  
Time: 9:00 am  
Hon. James Ware

Presently before the Court is Haddad & Sherwin's ("HS") Motion to Withdraw as Counsel of Record for Plaintiff Larry Warren. (hereafter, "Motion," Docket Item No. 11.) The Court finds the motion appropriate for submission without oral argument. See Civ. L.R. 7-1(b). Based on the papers submitted to date, the Court GRANTS Haddad & Sherwin's Motion to Withdraw as Counsel of Record.

In a civil case, counsel may not withdraw from an action until relieved by order of the Court. See Civ. L.R. 11-5. Rule 3-700(C) of the California Rules of Professional Conduct provides that a lawyer may withdraw from representing a client where, among other things, (1) the client breaches an agreement with or obligation to the lawyer as to expenses or fees, or (2) other

1 conduct renders it unreasonably difficult for the lawyer to carry out the employment effectively.

2 Rule 3-700(C)(1)(d), (f).


3 In this case, counsel contends that, "irreconcilable differences exist between Plaintiff and his  
4 counsel about fundamental matter" which have prevent effective representation. (Motion at 3.) In  
5 addition, Plaintiff has filed a declaration consenting to the withdrawal of counsel. (See Docket  
6 Item No. 13.) Based on HS' representation and supporting declarations and Plaintiff's consent, the  
7 Court finds good cause to relieve HS as counsel of record for Plaintiff.  
8

9 The Court stays all currently scheduled filing deadlines in the case for sixty (60) days to give  
10 Plaintiff sufficient time to find substitute counsel. HS shall remain as counsel of record for sixty  
11 (60) days for the purposes of receiving and providing legal documents until there is identification  
12 of substitute counsel. On or before **August 18, 2008**, Plaintiff shall file a Notice of Identification  
13 of Substitute Counsel or Notice of Self-Representation.  
14

15 HS shall send a copy of this Order to Plaintiff and file the necessary certificate of service. In  
16 light of this Order, the Court GRANTS the parties' Stipulation for Extension to Respond to  
17 Complaint and Case Management Conference. (See Docket Item No. 10.) Defendants shall have  
18 until **August 18, 2008** to respond to the Complaint. The Case Management Conference presently  
19 set for June 30, 2008 is continued to **September 15, 2008 at 10 a.m.** The parties shall meet and  
20 confer and file a Joint Case Management Statement on or before **September 5, 2008**.  
21

22 The hearing on the Motion to Withdraw currently set for June 23, 2008 is VACATED.

23  
24 Dated: June 18, 2008

  
JAMES WARE  
United States District Judge